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OFFICE OF PETITIONS

HONEYWELL INTERNATIONAL INC.
PATENT SERVICES
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In re Application of	:	
Alexander S. Kozlov, Derek	:	
Raybould, Siu-Ching D. Lui, and	:	
Thomas E. Strangman	:	
Application No. 10/753,675	:	DECISION ON SECOND RENEWED
Filed: January 7, 2004	:	PETITION PURSUANT TO
Attorney Docket No. H0005756-	:	37 C.F.R. § 1.47(A) AND
1060	:	PETITION PURSUANT TO
Title: PLATINUM ALUMINIDE	:	37 C.F.R. § 1.181
COATING AND METHOD THEREOF	:	

This is in response to the second renewed petition pursuant to 37 C.F.R. § 1.47(a), filed April 3, 2009. This is also a decision on the concurrently filed petition pursuant to 37 C.F.R. § 1.181(a), requesting that the holding of abandonment in the above-identified application be withdrawn.

Receipt of the concurrently submitted three-month extension of time is acknowledged.

On January 7, 2004, the application was filed, identifying Alexander S. Kozlov, Derek Raybould, Siu-Ching D. Lui, and Thomas E. Strangman as joint inventors. The application was deposited without a fully-executed declaration: the word "deceased" was written on the signature block that is associated with Mr. Kozlov. It appears that this was not picked up by the Office on initial deposit, and the need for a fully executed declaration was first set forth in the Notice of Allowance and Issue Fee Due that was mailed on March 18, 2008.

An original petition pursuant to 37 C.F.R. § 1.47(a) was filed on June 18, 2008, and was dismissed via the mailing of a decision on August 14, 2008.

A renewed petition was filed on October 14, 2008, and was dismissed via the mailing of a decision on November 7, 2008, which indicated that requirements (1) - (3) and (5) of Rule 1.47(a) had been satisfied, and that the second requirement is not applicable, as the original petition had been included on filing.

The decision on the renewed petition set a two-month extendable period for response.

On January 22, 2009, the Office mailed a notice of abandonment, indicating that the application had gone abandoned for failure to respond to the decision on the petition.

With this petition pursuant to 37 C.F.R. § 1.181(a), Petitioner has indicated that extensions of time were available, and as such, she was in a position to purchase extensions of time.

As indicted above, a second renewed petition under 37 C.F.R. § 1.47(a) was filed concurrently with this petition, along with a three-month extension of time so as to make timely this response to the decision on the renewed petition.

Petitioner's argument has been considered, and it has been deemed to be persuasive. Accordingly, the petition under 37 C.F.R. § 1.181(a) is GRANTED. The holding of abandonment is WITHDRAWN.

With this second renewed petition pursuant to 37 C.F.R. § 1.47(a), Petitioner has included an acceptable declaration that has been executed by the legal representative of non-signing (deceased) joint inventor Kozlov.

As such, this second renewed petition pursuant to 37 C.F.R. § 1.47(a) is DISMISSED AS MOOT.

In view of the joinder of the legal representative of the joint inventor, further consideration under 37 C.F.R. § 1.47(a) is not necessary and the petition is considered moot. This application does not have any Rule 1.47(a) status and no such status should appear on the file wrapper. This application need not be returned to this Office for further consideration under 37 C.F.R. § 1.47(a).

Pursuant to this decision, the Office of Patent Publication will be notified of this decision so that the present application can be processed into a patent.

Petitioner may find it beneficial to view Private PAIR within a fortnight of the present decision to ensure that the withdrawal of the holding of abandonment has been acknowledged by the Office of Patent Publication in response to this decision. It is noted that all inquiries with regard to any failure of that change in status should be directed to the Office of Patent Publication where that change of status must be effected - **the Office of Petitions cannot effectuate a change of status.**

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.¹ All other inquiries concerning the status of the application should be directed to the Office of Patent Publication at 571-272-4200.



Paul Shanowski
Senior Attorney
Office of Petitions

¹ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.